



United States Attorney
Northern District of California

150 Almaden Blvd.
Suite 900
San Jose, California 95113

(408) 535-5061
FAX: (408) 535-5066

January 20, 2009

Allen Ruby, Esq.
Law Offices of Allen Ruby
125 South Market Street, Suite 1001
San Jose, CA 95113

Re: United States v. Barry L. Bonds
CR 07-0732 SI

Dear Mr. Ruby:

In accordance with the Federal Rules of Criminal Procedure, Rule 16(a)(1)(G), the United States hereby provides notice of intent to introduce expert testimony at trial. It should be noted that the Grand Jury transcripts of both witnesses have previously been disclosed to the defense and that such disclosure is incorporated into this notice. The government will provide further information regarding any other expert witnesses as it becomes available.

Dr. Don H. Catlin

A. Qualifications

Dr. Catlin is a medical doctor who was employed as the Director of the UCLA Olympic Analytical Laboratory (UCLA Olympic Lab) during the relevant time period to this indictment. A copy of Dr. Catlin's curriculum vitae, which details his qualifications to offer the opinions herein, is attached hereto. In general, the bases for Dr. Catlin's opinions herein are his formal education, his work experience, his research, and his continuing education in the form of remaining abreast of issues related to performance-enhancing substances in athletics via reading current literature in the field and attending educational classes, seminars, etc.

B. Areas of Expected Testimony

Dr. Catlin will testify to all of the areas referenced in his grand jury testimony, including the following:

Dr. Catlin will testify that the UCLA Olympic Lab performed the testing on the urine sample collected from the defendant by Major League Baseball (MLB). He will testify to the results of those tests and their meaning, including the use and results of the Carbon Isotope Ratio test. Dr. Catlin will testify that the results of the test were that he found exogenous testosterone, THG, and clomid in the 2003 sample. He will also testify that THG was never commercially available from any source (other than Patrick Arnold) during the time of the defendant's THG-positive urine samples. As such, Dr. Catlin's testimony also includes statements as a percipient witness.

Larry D. Bowers, Ph.D., DABC

A. Qualifications

Dr. Bowers is employed as the Senior Managing Director, Technical and Information Resources, for the United States Anti Doping Agency (USADA). A copy of Dr. Bowers' curriculum vitae, which details his qualifications to offer the opinions herein, is attached hereto. In addition to the qualifications set forth in the CV, Dr. Bowers held a DEA license for eight (8) years prior to joining USADA in 2000. In general, the bases for Dr. Bowers' opinions herein are his formal education, his work experience, his research (including scientific experiments), and his continuing education in the form of remaining abreast of issues related to performance-enhancing substances in athletics via reading current literature in the field and attending educational classes, seminars, etc.

B. Areas of Expected Testimony

The United States will seek to offer Dr. Bowers' testimony for the following areas relevant to the trial:

Dr. Bowers will testify that it is his opinion that testosterone, human growth hormone (HGH), insulin, and erythropoietin (EPO), are performance-enhancing substances. He will also testify that:

1. Testosterone is a chemical that causes muscle growth and retention of muscle. It can make a person stronger and it can benefit a person's ability to recover, i.e. it can enable a person to work muscles more often and harder than without the assistance of testosterone.
2. HGH can cause changes to the body by itself or, in connection with other substances, e.g. anabolic steroids and insulin, that can be responsible for the growth of a large number of bodily systems, e.g. muscles and bones. Similar to testosterone, HGH can enhance athletic performance by promoting muscle growth and speeding recovery time for muscles after they have been utilized.
3. Insulin is a chemical that assists the body to get sugar and other constituents into the cell. As a performance-enhancing substance, insulin is used to regenerate energy stores in the cell and to prevent muscle breakdown. Insulin is frequently used in conjunction with another substance, such as HGH. HGH increases muscle growth while insulin decreases muscle breakdown, resulting in faster recovery and more muscle accumulation than either substance alone.
4. EPO is a hormone that regulates the number of red blood cells in the blood system. If EPO in addition to the amount naturally produced by the body is administered into the body, it can increase the number of red blood cells in a body's blood system. The performance-enhancing aspect of such an effect is that a body is thereafter able to better transport oxygen to muscles, which can make the muscles more effective in making energy. The benefits of EPO are that a person may experience improved endurance and energy. EPO can enhance a person's ability to train for athletic performances and to perform in athletic competitions.

Dr. Bowers will also testify that it is illegal to distribute and obtain the substances identified herein for performance-enhancement and without a legitimate medical condition requiring such a substance and a prescription from a physician. Examples of legitimate medical conditions related to each substance are as follows: muscle-wasting conditions associated with AIDS (testosterone); growth deficiencies in children (HGH); Type I diabetes (insulin); and anemia-related conditions associated with cancer (EPO). Dr. Bowers will also testify to the side effects of steroid use, including effects on blood values, possible organ damage, and other side effects. Dr. Bowers will further testify to his opinion that test results for some blood samples provided by the defendant indicate organ damage and possible steroid use by the defendant.

Sincerely,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/_____
MATTHEW A. PARRELLA
JEFFREY D. NEDROW
JEFFREY R. FINIGAN
Assistant United States Attorneys

Enclosures